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7 Attorney for Jimmy L. Noel

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JIMMY L. NOEL,

14 Defendant.

Case No. 2:16-cr-323-GMN-VCF

MOTION TO WITHDRAW MOTION
TO TEMPORARILY MODIFY
CONDITIONS OF PRETRIAL
RELEASE

15 CERTIFICATION: This Motion is timely filed.

16 COMES NOW, the defendant Jimmy L. Noel, by and through his attorney,
17 Monique Kirtley, Assistant Federal Public Defender, who files this Motion to Withdraw Motion
18 to Modify a Condition of Pretrial Release.

19 DATED this 20th day of December, 2016.

20 RENE L. VALLADARES
21 Federal Public Defender

22 By: /s/ Monique Kirtley

23 MONIQUE KIRTLEY
24 Assistant Federal Public Defender
25 Attorney for Jimmy L. Noel
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Memorandum of Points and Authorities

On December 12, 2016, a Motion to Modify a Condition of Pretrial Release was filed requesting a modification of Mr. Noel's pretrial release condition to allow him to reside in Illinois during the pendency of this instant case. Undersigned counsel for Mr. Noel has been informed that Mr. Noel is no longer at the halfway house. Based on the above information undersigned counsel's motion has been rendered moot and hereby respectfully request that this Court withdraw the motion to Modify a Condition of Pretrial Release.

Undersigned counsel hereby respectfully requests that this Court

DATED this 20th day of December 2016.

Respectfully submitted,


RENE L. VALLADARES
Federal Public Defender

By: /s/ Monique Kirtley

MONIQUE KIRTLEY
Assistant Federal Public Defender
Attorney for Jimmy L. Noel

IT IS ORDERED that the Motion to Withdraw Motion (ECF No. 23) is **GRANTED**, and the Motion to Modify Conditions (ECF No. 20) is **WITHDRAWN**.

Dated: December 28, 2016


Peggy A. Leen
United States Magistrate Judge

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that he is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on December 20, 2016, he served an electronic copy of the above and foregoing **MOTION TO WITHDRAW MOTION TO TEMPORARILY MODIFY CONDITIONS OF PRETRIAL RELEASE** by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN
United States Attorney
RICHARD ANTHONY LOPEZ
Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

/s/ Brandon Thomas
Employee of the Federal Public Defender